

*Def B1*  
a second capsule including a third plurality of particles having a second optical property and a fourth plurality of particles having a third optical property; wherein the element presents a visual display in response to the application of an electrical signal to at least one of said first capsule and said second capsule.

39. (New) The electrophoretic display element of claim 38 wherein the first and the third optical properties are substantially similar in appearance.

40. (New) The electrophoretic display element of claim 39 wherein the first and the third optical properties have a black visual appearance.

41. (New) The electrophoretic display element of claim 38 wherein the second optical property has a white visual appearance.

*A1 Sub C2*  
*Cont*  
42. (New) ~~The electrophoretic display element of claim 38 further comprising:~~

in said first capsule, a fifth plurality of particles having a fourth optical property visually different from white and the first optical property;

in said second capsule, a sixth plurality of particles having a fifth optical property visually different from the second optical property and the third optical property; and

a third capsule including a seventh species of particles having a sixth optical property, an eighth species of particles having a seventh optical property, and a ninth species of ~~particles having an eighth optical property.~~

43. (New) The electrophoretic display element of claim 42 wherein the sixth optical property has a white visual appearance.

44. (New) The electrophoretic display element of claim 42 wherein the first, third and seventh plurality of particles optical properties have a black visual appearance.

45. (New) The electrophoretic display element of claim 42 wherein at least one of the optical properties has a red visual appearance.

46. (New) The electrophoretic display element of claim 42 wherein at least one of the optical properties has a green visual appearance.

47. (New) The electrophoretic display element of claim 42 wherein at least one of the optical properties has a blue visual appearance.

48. (New) The electrophoretic display element of claim 42 wherein at least one of the optical properties has a yellow visual appearance.

49. (New) The electrophoretic display element of claim 42 wherein at least one of the optical properties has a cyan visual appearance.

50. (New) The electrophoretic display element of claim 42 wherein at least one of the optical properties has a magenta visual appearance.

51. (New) ~~The electrophoretic display element of claim 1 wherein at least one of the optical properties comprises color.~~

52. (New) The electrophoretic display element of claim 1 wherein at least one of the optical properties comprises brightness.

53. (New) The electrophoretic display element of claim 1 wherein at least one of the optical properties comprises reflectivity.

54. (New) ~~The electrophoretic display element of claim 1 wherein the capsules further include a suspending fluid.~~

55. (New) The electrophoretic display element of claim 54 wherein the suspending fluid is substantially clear.

56. (New) The electrophoretic display element of claim 54 wherein the suspending fluid is dyed.

57. (New) A display apparatus comprising:

the display element of claim 38; and

at least one electrode adjacent said display element;

wherein the apparatus presents a visual display in response to the application of an electrical signal via said electrode to said display element.

58. (New) The display apparatus according to claim 57, further comprising a plurality of electrodes adjacent said display element.

A1  
Cont

sub  
C3  
sub  
C4

59. (New) The display apparatus according to claim 57 wherein said at least one of the plurality of electrodes has a size different from others of the plurality of electrodes.

60. (New) The display apparatus according to claim 57 wherein said at least one of the plurality of electrodes has a color different from others of the plurality of electrodes.

---

---

Al  
Conl